

Dear Sir(s):

I am writing this letter to urge yo to reject the NAB Petition 04-160 that is presently before the FCC.

As a XM subscriber, I pay monthly fees for the programming I receive from them. I have the right to receive any programming from them that they can produce that is of interest to me. XM has the further right to offer any programming they develop for sale that does not violate any existing patent protections.

The particular service from XM that is at the heart of this petition is the local travel/weather programming. Since we are still in America, our free enterprise system allows any person or company to sell products or services that they own that is not in violation of federal, state or local statutes. I know of no law in this country that gives over the air broadcasters a legal basis to offer any type of service on an exclusive basis. If XM has developed a travel/weather program that does not violate any laws, your commission has no right to favor the NAB petition. I use this particular service daily, and I would use an over the air service, but I don't have any 24 hour travel/weather available on any radio programming but XM.

Sincerely,

Bill Richards